

**CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY  
WASTE TIRE HAULER/MANIFESTING VIOLATIONS  
STIPULATION, DECISION, AND ORDER**

Complainant, the California Department of Resources Recycling and Recovery (CDRRR) and Respondent(s) hereby agree that the stipulation will be a final resolution of the violations alleged below. The parties stipulate to the following facts and violations of law:

**CDRRR ENFORCEMENT ORDER NUMBER: 2010-000218-PEN**

**RESPONDENT:** El Caballo Tire Shop  
1107 West 5th Street  
San Bernardino, CA 92411

**PUBLIC RESOURCES CODE (PRC) SECTION VIOLATED §42953**

**TITLE 14, CALIFORNIA CODE OF REGULATIONS (CCR) VIOLATED §18451 (a)**

**DESCRIPTION OF VIOLATIONS:**

On April 14, 2010, El Caballo Tire Shop, either contracted or arranged with an unregistered hauler to transport or allowed the transportation of at least one load of waste/used tires in a vehicle not authorized by CDRRR to transport waste/used tires. In addition, El Caballo Tire Shop, failed to comply with the requirements of Article 8.5 Registration and Manifesting Requirements

Pursuant to PRC §42953, any person who gives, contracts, or arranges with another person to transport waste or used tires shall utilize only a person holding a valid waste and used tire hauler registration from the board, unless the hauler is exempt as specified in Section 42954.

Pursuant to Title 14, CCR §18451 (a), Waste tire haulers, retreaders, waste tire generators, and end-use facilities shall comply with these regulations, unless exempted by Section 42954 of the Public Resources Code and applicable procedures set forth in Section 18452.1-18453.2.

**DATE(S) OF VIOLATION: April 14, 2010**

**STIPULATION DUE DATE: 15 DAYS FROM THE DATE OF SERVICE**

**TOTAL MONETARY PENALTY: \$ 500      NUMBER OF COUNTS: 2**

**STATEMENT BY RESPONDENT(S):**

I acknowledge that the violation(s) of the Public Resources Code and/or Title 14, California Code of Regulations (CCR) described above and on Exhibit 1 attached, have occurred and request that the California Department of Resources Recycling and Recovery resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* at the bottom of this form and voluntarily waive any and all procedural rights to contest this matter in an Administrative Hearing. I have enclosed a check or money order made payable to the California Department of Resources Recycling and Recovery in the amount of the penalty described above. I understand that if there are not sufficient funds in my bank account when the check is deposited, CDRRR has the discretion to determine that this agreement is null and void, and can prosecute this allegation as if no agreement has been executed.

RESPONDENT has freely and voluntarily entered into this Stipulation, Decision, and Order (hereinafter "Stipulation"), and has been afforded the opportunity to consult with counsel prior to entering into this Stipulation. It is expressly understood and agreed that no representations or promises of any kind, other than as contained



herein, have been made by any party to induce any other party to enter into this Stipulation, and that said Stipulation may not be altered, amended, modified, or otherwise changed except by a writing executed by each of the parties hereto.

This Stipulation constitutes the entire understanding of the parties concerning the settlement of this proceeding. There are no restrictions, promises, warranties, covenants, undertakings, or representations other than those expressly set forth herein or contained in separate written documents delivered or to be delivered pursuant hereto, and each party expressly acknowledges that it has not relied upon any restrictions, promises, warranties, covenants, undertakings, or representations other than those expressly contained herein.

If necessary, this Stipulation may be executed in counterparts, each of which shall be an original, and all together shall form one agreement. In addition, for purposes of this Stipulation, facsimile signatures will be treated as originals until the applicable page(s) bearing non-facsimile signatures have been received by the parties.

The effective date of this Stipulation, Decision, and Order, is the date that the Department Director signs it.

Dated: 06/18/10 Signature: Jase Lopez

Printed Name: Jase Lopez

Job Title: El Caballo Tires

Name and Address of Business Entity: \_\_\_\_\_

Any DBAs: \_\_\_\_\_

For California Department of Resources Recycling and Recovery Use Only

STATEMENT BY DIRECTOR:

The foregoing stipulation has been adopted by the California Department of Resources Recycling and Recovery as its final decision and order and is effective upon execution below by the Director of the California Department of Resources Recycling and Recovery.

IT IS SO ORDERED:

Dated: JUNE 30, 2010

Ted Rauh  
Ted Rauh, Program Director

Waste Compliance and Mitigation Program

California Department of Resources Recycling and Recovery

PLEASE  
END MY  
MY STIKES  
FOIL TRUCKS

